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14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA

16 SAN FRANCISCO DIVISION

17 THE FLINTKOTE COMPANY AND
18 THE FLINTKOTE TRUST,

19 Plaintiff,

20 v.

21 AVIVA PLC, AVIVA INTERNATIONAL
22 INSURANCE LIMITED, AND OCEAN
23 MARINE INSURANCE CO. LTD.,

24 Defendants.

25 Case No. 3:15-CV-01638-SI

26 **STIPULATION OF CONFIDENTIALITY
27 UNDER LOCAL RULE 7-12**

28

1 Defendants Aviva plc, Aviva International Insurance Limited (formerly known as
 2 Commercial Union Assurance Company Limited) and The Ocean Marine Insurance Co. Limited,
 3 (collectively, "Ocean Marine"), by and through their counsel of record, hereby file the following
 4 stipulation pursuant to Local Rules 7-11(a) and 7-12 attesting to Ocean Marine's agreement with
 5 plaintiffs, The Flintkote Company and the Flintkote Trust (collectively, "Flintkote"), as to the
 6 confidential nature of documents attached as exhibits to and referenced in Ocean Marines' Motion
 7 for Partial Summary Judgment.

8 **STIPULATION**

9 Flintkote and Ocean Marine, through their undersigned counsel, stipulate as follows:

10 Flintkote and Certain London Companies are presently engaged in a related arbitration
 11 proceeding, *The Flintkote Company v. Certain London Companies*, Arbitration No. W-14-01,
 12 JAMS No. 141000640.

13 Appendix C, §100.7 of the Wellington Agreement provides that alternative dispute
 14 resolution proceedings undertaken pursuant to the Wellington Agreement are to be confidential
 15 and the current proceedings are protected by a protective order.

16 The parties agree the following documents from the above-referenced arbitration should
 17 remain confidential and should be placed under seal in this litigation:

- 18 • Flintkote's Responses and Objections to Certain London Companies First Set of
 19 Interrogatories, *The Flintkote Company v. Certain London Companies*, Arbitration No.
 W-14-01, JAMS No. 141000640, June 22, 2015;
- 20 • Deposition Transcript of Eric Bower, *The Flintkote Company v. Certain London
 21 Companies*, Arbitration No. W-14-01, JAMS No. 141000640, August 13, 2015;
- 22 • "Phase I Rulings," filed in *The Flintkote Company v. Certain London Companies*,
 23 Arbitration No. W-14-01, JAMS No. 141000640, January 9, 2016; and
- 24 • "Order on Motion for Reconsideration," filed in *The Flintkote Company v. Certain
 25 London Companies*, Arbitration No. W-14-01, JAMS No. 141000640, February 2, 2016.

26 Any references to these documents should be redacted in Court filings. Ocean Marine
 27 intends to attach and reference these documents as exhibits to its Motion for Partial Summary
 28 Judgment.

4 By: /s/ Michael Fehner
5 Michael Fehner
Attorneys for Plaintiff
The Flintkote Company/The Flintkote Trust

Dated: February 5, 2016 CLYDE & CO US LLP

By: /s/ Andrew G. Wanger
Andrew G. Wanger
Attorneys for Defendants Aviva plc/
Aviva International Insurance Limited/
Ocean Marine Insurance Company Limited

ATTESTATION

15 Pursuant to Civil Local Rule 5-1(i)(3) regarding signatures, I attest that concurrence in the
16 filing of this document has been obtained from the other signatories.

18 Dated: February 5, 2016 /s/ Andrew G. Wanger
Attorney for Defendants